

Apr 15, 2007  
#42

ORDINANCE NO \_\_\_\_\_

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY COMMONLY KNOWN AS THE ST DAVID'S MEDICAL CENTER  
3 PUD LOCATED AT 919-1025 AND 918-1004 EAST 32<sup>ND</sup> STREET, 900 EAST 30<sup>TH</sup>  
4 STREET, AND 3000-3018 NORTH IH-35 IN THE HANCOCK NEIGHBORHOOD  
5 PLAN AREA FROM GENERAL OFFICE-MIXED USE-NEIGHBORHOOD PLAN  
6 (GO-MU-NP) COMBINING DISTRICT, GENERAL COMMERCIAL SERVICES-  
7 NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT, GENERAL  
8 COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD  
9 PLAN (CS-CO-NP) COMBINING DISTRICT, AND COMMUNITY  
10 COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-CO-  
11 NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-  
12 NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT

13  
14 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

15  
16 **PART 1** The zoning map established by Section 25-2-191 of the City Code is amended to  
17 change the base zoning district from general office mixed use-neighborhood plan (GO-  
18 MU NP) combining district general commercial services-neighborhood plan (CS-NP)  
19 combining district, general commercial services-conditional overlay-neighborhood plan  
20 (CS CO NP) combining district, and community commercial-conditional overlay-  
21 neighborhood plan (GR-CO NP) combining district to planned unit development-  
22 neighborhood plan (PUD-NP) combining district on the property described in File C814-  
23 06-0068 on record at the Neighborhood Planning and Zoning Department, as  
24 approximately 14 acres of land, more or less being more particularly described in Exhibit  
25 A (*Description of Property*) incorporated into this ordinance (the "Property") locally  
26 known as the property located at 919-1025 and 918-1004 East 32<sup>nd</sup> Street, 900 East 30<sup>th</sup>  
27 Street, and 3000-3018 North IH-35, in the City of Austin, Travis County, Texas, and  
28 generally identified in the map attached as Exhibit B (*Zoning Map*)

29 **PART 2** This ordinance, together with the attached Exhibits A through D, are the land  
30 use plan for the St David's Medical Center planned unit development district (the PUD )  
31 created by this ordinance The PUD shall conform to the limitations and conditions set  
32 forth in this ordinance and in the St David's Medical Center planned unit development  
33 land use plan If this zoning ordinance and the attached exhibits conflict, the PUD  
34 ordinance applies Except as otherwise specifically provided by this ordinance, all other  
35 rules regulations and ordinances of the City in effect on the effective date of this ordinance  
36 apply to the PUD

1 **PART 3** The attached exhibits are incorporated into this ordinance in their entirety as  
2 though set forth fully in the text of this ordinance The exhibits are as follows

3

4 Exhibit A	Description of Property
5 Exhibit B	Zoning Map
6 Exhibit C	Land Use Plan
7 Exhibit D	Landscaping Plan

8 The Property is subject to Ordinance No 040826-59 that established the Hancock  
9 neighborhood plan combining district

10  
11 **PART 4** Definitions

12  
13 A In this ordinance

14  
15 ZONE means the area identified on Exhibit C for the purpose of showing where  
16 a specific height or other condition is allowed There are 7 separate zones  
17 shown on the Land Use Plan

18  
19 B All other terms have the meaning provided in the Code

20  
21 **PART 5** In accordance with Section 25-2-411 (A) (*Planned Unit Development District*  
22 *Regulations*) of the City Code, the following regulations apply to the PUD instead of  
23 otherwise applicable City regulations

24  
25 A Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) of the  
26 City Code does not apply to the PUD

27  
28 B Except as set forth in the ordinance, the Property is subject to general  
29 commercial services (CS) uses and site development regulations

30  
31 C The maximum impervious cover is 87 percent

32  
33 D The floor to-area ratio is 3 0 to 1 0 over the entire site as shown on the Land  
34 Use Plan

1 E Uses

2  
3 1 The following uses are the only permitted principal uses of the PUD

- 4  
5 Medical offices (not exceeding 5000 sq ft of gross floor area)  
6 Medical offices (exceeding 5000 sq ft of gross floor area)  
7 Hospital services (general)  
8 Hospital services (limited)  
9 Administrative and business offices Building maintenance services  
10 Business support services Commercial blood plasma center  
11 Commercial off-street parking Food sales  
12 General retail sales (convenience) Hotel-motel  
13 Indoor entertainment Laundry services  
14 Off-site accessory parking Personal improvement services  
15 Personal services Professional office  
16 Recreational equipment maintenance Research services  
17 and storage Research testing services  
18 Research warehousing services Restaurant (limited)  
19 Camp Club or lodge  
20 College and university facilities Community events  
21 Community recreation (public) Convalescent services  
22 Counseling services Daycare services (general)  
23 Employee recreation Guidance services  
24 Residential treatment Safety services  
25 Telecommunications tower

26  
27 2 A new or relocated facility for helicopters and other nonfixed wing  
28 aircraft must comply with Section 25-2-861 (*Facilities for Helicopters*  
29 *and Other Nonfixed Wing Aircraft*)  
30

31 F The following maximum height regulations apply to each Zone as follows

- 32  
33 Zone 1 - 90 feet,  
34 Zone 2 - 60 feet  
35 Zone 3 - 90 feet,  
36 Zone 4 - 125 feet on 40 percent of the gross area, and  
37 90 feet on 60 percent of the gross area,  
38 Zone 5 - 175 feet on 50 percent of the gross area and  
39 90 feet on 50 percent of the gross area,  
40 Zone 7 - 80 feet

1  
2 G Zone 6 shall be maintained as a landscaped area

3  
4 H Except as provided in Subsection I, landscaping shall be accomplished  
5 according to criteria set forth in the City Code

6  
7 I At the time of approved site plan in Zones 1, 2, and 3, improvements shall  
8 be made to the Red River right-of-way along with landscaping  
9 improvements to the areas shown in Exhibit D

10  
11 J A tree located in Zone 5 and Zone 6 as depicted on the Land Use Plan is a  
12 protected tree as set forth in Section 25-8, Subchapter B, Article 1 (*Tree and*  
13 *Natural Area Protection*) of the Code

14  
15 K A minimum 10,000 square feet shall be provided and maintained for an  
16 interior courtyard in Zone 4

17  
18 **PART 6** This ordinance takes effect on \_\_\_\_\_ 2007

19  
20  
21 **PASSED AND APPROVED**

22 \_\_\_\_\_, 2007 §  
23 §  
24 § \_\_\_\_\_  
25 Will Wynn  
26 Mayor

27  
28 **APPROVED** \_\_\_\_\_ **ATTEST** \_\_\_\_\_  
29 David Allan Smith Shirley A Gentry  
30 City Attorney City Clerk

## LEGAL DESCRIPTION

### Main Campus

12.65 acres of land more or less as more particularly described below

Lot 1 Saint David's Community Hospital Addition a subdivision in the City of Austin Travis County Texas according to the map or plat of record in Plat Book 81 Page 366 of the Plat Records of Travis County Texas

Greusen Resubdivision of a portion of Lot 6 Outlot 23 Division C recorded in Volume 10 Page 77 of the Official Plat Records of Travis County Texas

Joe Manor Trustee Subdivision recorded in Volume 16 Page 43 of the Official Plat Records of Travis County Texas

1.54 acres of land out of Outlot 23 Division C of the Government Tract adjoining the Original City of Austin Travis County Texas in a Deed recorded in Volume 12725 Page 1436 Travis County Deed Records

### North 32<sup>nd</sup> St

1.72 acres of land more or less as more particularly described below

9,570 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

10,500 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

11,551 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

21,000 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

Lot 2 of the C P L M A Subdivision II recorded in Volume 100 Page 93 of the Official Plat Records of Travis County Texas

EXHIBIT A







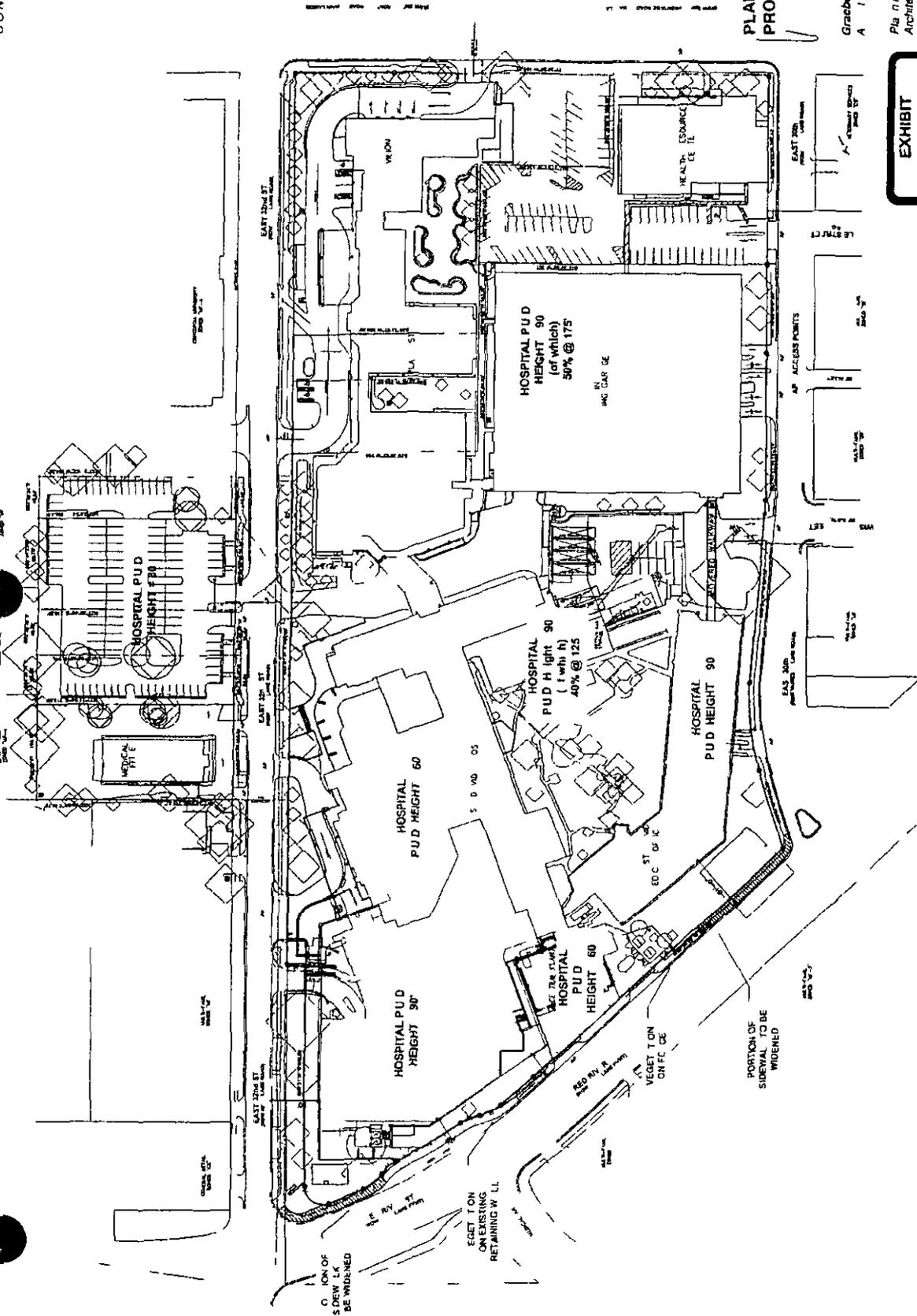
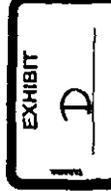


PLANNING COMMISSION PROPOSAL

Grabe, Simmons & Cowan Inc  
A I I I



Planning  
Architecture  
Senior Architect  
JANUARY 03, 2007



April 5, 2007  
#42

Zoning Case No C814-06-0068

RESTRICTIVE COVENANT

OWNER St David s Healthcare Partnership L P , L I P a Texas limited liability partnership

ADDRESS P O Box 1788 Austin Texas 78767 1788

CONSIDERATION Ten and No/100 Dollars (\$10 00) and other good and valuable consideration paid by the City of Austin to the Owner the receipt and sufficiency of which is acknowledged

PROPFRTY A 14 37 acre tract of land more or less, comprised of certain parcels of land in the City of Austin Travis County the tract of land being more particularly described in Exhibit A attached and incorporated into this covenant

WHEREAS the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions

NOW THEREFORE it is declared that the Owner of the Property for the consideration shall hold sell and convey the Property subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant These covenants and restrictions shall run with the land and shall be binding on the Owner of the Property its heirs successors and assigns

- 1 A site plan or building permit for the Property may not be approved released or issued if the completed development or uses of the Property considered cumulatively with all existing or previously authorized development and uses generate traffic that exceeds the total traffic generation for the Property specified in that certain Traffic Impact Analysis (the TIA ) prepared by John F Hickman and Associates dated February 2006 or as amended and approved by the Director of the Watershed Protection and Development Review Department or its successor department of the City of Austin All development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department dated August 22 2006 and shall not exceed 1 242 042 gross square feet unless an undated TIA is prepared and submitted and any necessary mitigation is addressed The TIA shall be kept on file at the Watershed Protection and Development Review Department or its successor department of the City of Austin
- 2 All new development shall comply with Austin Energy Green Building Program in effect on March 8 2007 to achieve a minimum one star rating
- 3 At the time construction and completion of traffic improvements to 32<sup>nd</sup> Street Owner shall provide its pro rata share for the following improvements

- a) A westbound left turn lane and related traffic signal modification at Red River Street
  - b) A center turn lane along the portion of 32<sup>nd</sup> Street between Red River Street and the IH 35 west frontage road and
  - c) Re striping of 32<sup>nd</sup> Street at the west frontage road for a dual lane approach across the 32<sup>nd</sup> Street bridge
- 4 If any person or entity shall violate or attempt to violate this agreement and covenant it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant to prevent the person or entity from such actions and to collect damages for such actions
- 5 If any part of this agreement or covenant is declared invalid by judgment or court order the same shall in no way affect any of the other provisions of this agreement and such remaining portion of this agreement shall remain in full effect
- 6 If at any time the City of Austin fails to enforce this agreement whether or not any violations of it are known such failure shall not constitute a waiver or estoppel of the right to enforce it
- 7 This agreement may be modified amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin and (b) by the owner(s) of the Property subject to the modification amendment or termination at the time of such modification amendment or termination

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_ 2007

**OWNER**

**St David's Healthcare Partnership L P LLP,  
a Texas limited liability partnership**

By \_\_\_\_\_  
Jon M Foster  
President and CEO

APPROVED AS TO FORM

\_\_\_\_\_  
Assistant City Attorney  
City of Austin

**THE STATE OF TEXAS           §**

**COUNTY OF TRAVIS           §**

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_  
2007 by Jon M Foster President and CEO of St David s Healthcare Partnership I P L P a  
Texas limited liability partnership on behalf of the limited liability partnership

\_\_\_\_\_  
Notary Public State of Texas

**After Recording Please Return to  
City of Austin  
Department of Law  
P O Box 1088  
Austin Texas 78767  
Attention Diana Minter Paralegal**

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